

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THOMAS RICHEY,)	
)	CASE NO. C12-0660-JLR-MAT
Plaintiff,)	
v.)	ORDER GRANTING DEFENDANTS'
)	MOTION FOR EXTENSION OF TIME
LISA SYKES, <i>et al.</i> ,)	AND RE-NOTING PLAINTIFF'S
)	SUMMARY JUDGMENT MOTION
Defendants.)	
_____)	

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. This matter comes before the Court at the present time on defendants' motion for an extension of time to file a response to plaintiff's motion for summary judgment. The Court, having reviewed defendants' motion, plaintiff's response thereto, and the balance of the record, does hereby ORDER as follows:

(1) Defendants' motion for an extension of time to file a response to plaintiff's motion for summary judgment (Dkt. No. 15) is GRANTED. Defendants' response, which was incorporated into defendants' cross-motion for summary judgment, was received by the Court on September 4, 2012 and has been accepted for filing.

(2) Plaintiff's motion for summary judgment (Dkt. No. 13) is RE-NOTED for

01 consideration on *September 28, 2012* so that it may be considered at the same time as
02 defendants' cross-motion for summary judgment.

03 (3) Plaintiff is advised that his response to defendants' cross-motion for summary
04 judgment must be filed and served not later than *September 24, 2012*. In accordance with
05 *Woods v. Carey*, 684 F.3d 934 (9th Cir. 2012), plaintiff is further advised as follows:

06 A motion for summary judgment under Rule 56 of the Federal Rules of
07 Civil Procedure will, if granted, end your case.

08 Rule 56 tells you what you must do in order to oppose a motion for
09 summary judgment. Generally, summary judgment must be granted when
10 there is no genuine issue of material fact -- that is, if there is no real dispute
11 about any fact that would affect the result of your case, the party who asked for
12 summary judgment is entitled to judgment as a matter of law, which will end
13 your case. When a party you are suing makes a motion for summary judgment
14 that is properly supported by declarations (or other sworn testimony), you
15 cannot simply rely on what your complaint says. Instead, **you must set out
specific facts in declarations, deposition, answers to interrogatories, or
authenticated documents, as provided in Rule 56(e), that contradict the
facts shown in the defendant's declarations and documents and show that
there is a genuine issue of material fact for trial. If you do not submit your
own evidence in opposition, summary judgment, if appropriate, may be
entered against you. If summary judgment is granted, your case will be
dismissed and there will be no trial.**

16 *Rand v. Rowland*, 154 F.3d 952, 962-963 (9th Cir. 1998)(emphasis added).

17 (4) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
18 defendants, and to the Honorable James L. Robart.

19 DATED this 11th day of September, 2012.

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21 

22 Mary Alice Theiler
United States Magistrate Judge